



Linda S. Adams
Secretary for
Environmental Protection

**California Regional Water Quality Control Board
North Coast Region
William R. Massey, Chairman**

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Arnold
Schwarzenegger
Governor

December 1, 2006

Mr. Dennis Desmarais
PacifiCorp
700 NE Multnomah Street, Room 700
Portland, OR 97232

Dear Mr. Desmarais:

Subject: Issuance of Clean Water Act Section 401 Certification (Water Quality Certification) for the Yreka to Weed Transmission Line Upgrade Project

File: Yreka/Weed Transmission Line Upgrade
(WDID No. 1B06119WNSI)

This Order by the California Regional Water Quality Control Board, North Coast Region (Regional Water Board), is being issued pursuant to Section 401 of the Clean Water Act (33 USC 1341), in response to your request, on behalf of PacifiCorp (applicant), for Water Quality Certification for activities related to the Yreka to Weed transmission line upgrade project in Siskiyou County. On August 21, 2006, the Regional Water Board received your application and a \$2454.35 processing fee. On October 30, 2006, we deemed the application complete and posted information describing the project on the Regional Water Board's website for a 21-day public review and comment period. We did not receive any public comments on this project.

Project Description: The purpose of the project is to improve the reliability of electric service between the Yreka and Weed Junction substations by increasing transmission capacity in order to continue safe and reliable service to customers and to meet contractual obligations. The proposed project involves upgrading the existing Line 1 from a 69 kilovolt transmission line to a 115 kilovolt line. Approximately 17 miles of existing wood poles would be removed and replaced with new wood poles that have slightly larger diameters and are an average of nine feet taller. In addition to upgrading Line 1, approximately 1.4 miles of new 115 kilovolt transmission line will be installed within a new right-of-way between the Weed Tap and Weed Junction Substations, and the existing

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substations at Yreka, Lucerne, and Weed Junction will be modified.

Permanent impacts to jurisdictional wetlands are associated with the replacement of four existing power poles with larger diameter poles. Permanent impacts to isolated wetlands are associated with the replacement of nine existing poles with larger diameter poles. Temporary impacts to isolated wetlands and waters of the United States are associated with the preparation of construction access routes, the removal of existing power poles, and excavation for installation of new poles. New pole locations will be determined in the field to prevent pole placement in water features. Temporary access routes will be selected to avoid wetlands. Geotextile mats or similar BMPs will be used to minimize unavoidable impacts to wetland soil and vegetation where access routes cross isolated wetlands or waters of the United States.

Receiving Waters:	Waters of the United States and waters of the State including Garrick Creek, Willow Creek, Shasta River, and wetlands in the Shasta Valley Hydrologic Area No. 105.50
Filled or Excavated Area:	Area Temporarily Impacted: 0.56 acre of wetlands (0.22 acre of jurisdictional wetlands and 0.34 acre of isolated wetlands) Area Permanently Impacted: 0.00191 acre of wetlands (0.00105 acre of jurisdictional wetlands and 0.00086 acre of isolated wetlands)
Total Linear Impacts:	Length Temporarily Impacted: none Length Permanently Impacted: none
Federal Permit:	U.S. Army Corps of Engineers Nationwide Permit No. 12
Compensatory Mitigation:	None
Noncompensatory Mitigation:	Noncompensatory mitigation measures for this project include the use of Best Management Practices (BMPs) for sediment and turbidity control. The applicant shall minimize impacts to native vegetation and shall replant impacted areas with appropriate native species.

CEQA Compliance: The California Public Utilities Commission, as lead California Environmental Quality Act (CEQA) agency, certified a Final Mitigated Negative Declaration (SCH#2006092006) for this project on October 19, 2006.

Standard Conditions: Pursuant to Title 23, California Code of Regulations, Section 3860 (23 CCR 3860), the following three standard conditions shall apply to this project:

- 1) This certification action is subject to modification or revocation upon administrative or judicial review, including review and amendment pursuant to Section 13330 of the California Water Code and 23 CCR 3867.
- 2) This certification action is not intended and shall not be construed to apply to any discharge from any activity involving a hydroelectric facility requiring a Federal Energy Regulatory Commission (FERC) license or an amendment to a FERC license unless the pertinent certification application was filed pursuant to 23 CCR 3855(b) and the application specifically identified that a FERC license or amendment to a FERC license for a hydroelectric facility was being sought.
- 3) The validity of any nondenial certification action (actions 1 and 2) shall be conditioned upon total payment of the full fee required under 23 CCR 3833, unless otherwise stated in writing by the certifying agency.

Additional Conditions: Pursuant to 23 CCR 3859(a), the applicant shall comply with the following additional conditions:

- 1) The applicant shall notify Regional Water Board staff prior to the commencement of the project, with details regarding the schedule of operations, to allow staff the opportunity to be present onsite and to answer any public inquiries that may arise regarding the project.
- 2) A copy of this permit must be provided to all contractors and subcontractors conducting work on this project, and a copy must be in their possession at the work site. It is the applicant's responsibility to ensure that the contractor and all subcontractors are provided a copy of this permit.

- 3) All activities and BMPs shall be implemented according to the submitted application, all the mitigation measures and conditions of approval contained in the Final Mitigated Negative Declaration, and the conditions in this Water Quality Certification.
- 4) Adequate BMPs for sediment and turbidity control shall be implemented and in place during and after construction.
- 5) The applicant shall minimize impacts to native vegetation. The applicant shall mitigate any unavoidable permanent impacts to native vegetation by replanting impacted areas with appropriate native species.
- 6) Fueling, lubrication, maintenance, storage and staging of vehicles and equipment shall be outside of waters of the United States. Fueling, lubrication, maintenance, storage and staging of vehicles and equipment shall not result in a discharge or a threatened discharge to waters of the United States or waters of the State. At no time shall the applicant use any vehicle or equipment, which leaks any substance that may impact water quality.
- 7) If, at any time, an unauthorized discharge to surface waters occurs, or any water quality problem arises, the project shall cease immediately and Regional Water Board staff shall be notified promptly.
- 8) No bark, slash, sawdust, oil or petroleum products, or other organic or earthen material, other than that authorized by this permit, shall be allowed to enter into or be placed where it may be washed by rainfall into waters of the State. If, at any time, an unauthorized discharge of bark, slash, sawdust, oil or petroleum products, or other organic or earthen material to surface waters occurs, or any water quality problem arises, the project shall cease immediately and Regional Water Board staff shall be notified promptly.
- 9) When operations are completed, any excess material or debris shall be removed from the work area and disposed of properly. No rubbish shall be deposited

within 150 feet of the high water mark of any stream.

- 10) Project activities shall comply with provisions in the North Coast Region Water Quality Control Plan (Basin Plan).
- 11) The project site may be visited and assessed by Regional Water Board staff to document compliance with this certification.
- 12) This Order is not transferable. In the event of any change in control of ownership of land presently owned or controlled by the applicant, the applicant shall notify the successor-in-interest of the existence of this Order by letter and shall forward a copy of the letter to the Regional Water Board at the above address.

To discharge dredged or fill material under this Order, the successor-in-interest must send to the Regional Water Board Executive Officer a written request for transfer of the Order. The request must contain the requesting entity's full legal name, the state of incorporation if a corporation, address, and telephone number of the person(s) responsible for contact with the Regional Water Board. The request must also describe any changes to the Project proposed by the successor-in-interest or confirm that the successor-in-interest intends to implement the Project as described in this Order.

Water Quality Certification: I hereby issue an order [23 CCR Subsection 3831(e)] certifying that any authorized discharge from the PacifiCorp – Yreka to Weed Transmission Line Upgrade Project, (Facility No. 1B06119WNSI) will comply with the applicable provisions of sections 301 ("Effluent Limitations"), 302 ("Water Quality Related Effluent Limitations"), 303 ("Water Quality Standards and Implementation Plans"), 306 ("National Standards of Performance"), and 307 ("Toxic and Pretreatment Effluent Standards") of the Clean Water Act [33 USC Subsection 1341 (a)(1)], and with other applicable requirements of State law. This discharge is also regulated under State Water Resources Control Board Order No. 2003 - 0017 - DWQ, "General Waste Discharge Requirements for Dredge and Fill Discharges That Have Received State Water Quality Certification" which requires

compliance with all conditions of this Water Quality Certification.

Except as may be modified by any preceding conditions, all certification actions are contingent on: a) the discharge being limited and all proposed mitigation being completed in strict compliance with the applicant's project description, and b) compliance with all applicable requirements of the Regional Water Board's Water Quality Control Plan for the North Coast Region (Basin Plan).

Expiration: The authorization of this certification for any dredge and fill activities expires on December 1, 2011. Conditions and monitoring requirements outlined in this certification are not subject to the expiration date outlined above, and remain in full effect and are enforceable.

Please notify Dean Prat of our staff at (707) 576-2801 prior to construction (pursuant to Additional Condition No. 1 above) so that we can answer any public inquiries about the work.

Sincerely,

Catherine Kuhlman
Executive Officer

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cc: Ms. Jane Hicks, U.S. Army Corps of Engineers, Regulatory Functions, 333
Market Street, San Francisco, CA 94599
U.S. Army Corps of Engineers, District Engineer, P.O. Box 4863, Eureka, CA
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Ms. Leslie Wagner, SWCA Environmental Consultants, 3840 Rosin Court, Suite
130, Sacramento, CA 95834